

**III. REMARKS**

1. Claim 1 is amended.

2. In the telephone conversation with Examiner Gabor on December 21, 2004, the Examiner noted that the proposed changes to claim 1 were not properly identified with the underlying of the proposed features to be added. This amendment corrects that error. The text of section 3 below, is the same as the text of numbered paragraph 2 in the Second Amendment after Final filed on November 29, 2004.

3. Claim 1-8, 10-18 are not unpatentable over Oda.

Claim 1 is amended to recite that the temperature-sensitive reference means comprises a reference element thermally coupled to the sensor element and one or several squaring means connected to the reference element for simulating the temperature dependency of the photo-electric conversion characteristics of the sensor element and providing a temperature-dependent second electric signal. This is not disclosed or suggested by Oda.

It is not obvious to simulate the characteristics of a sensor element once its temperature characteristics is measured. This requires the knowledge that the measurement characteristics may not coincide with the sensor characteristic. Oda provides no reason or suggestion to think about this issue because there are two identical sensor elements in Oda. One of them is inherit congruence as regards the temperature characteristic (without looking at the conversion light > electric signal - because the blind element converts nothing). Actually, Oda can only compensate for a temperature dependent offset. Oda does nothing

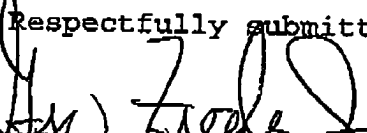
for the other parameters of the characteristic, most important there being the photoelectric conversion.

Thus, Oda does not disclose or suggest each feature of Applicant's invention as claim and reconsideration and allowance is respectfully requested.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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12/21/2004  
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#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent by fax to (703) 872-9306 on the date indicated below.

Date: 21 December 2004

Signature: Meghan Bayle

Transmitter